

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

VS.

THOUNG HONG NGUYEN, *et al.*

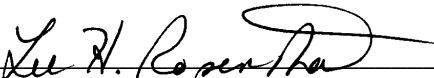
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CRIMINAL NO. H-11-340

MEMORANDUM AND ORDER

The defendant, Thuong Thomas-More Vo, has moved for a new trial based on this court's denial of the motion for acquittal made at the conclusion of the evidence; in denying the motion for mistrial when the jury first announced it was not able to reach a unanimous verdict; in giving an Allen charge; in allowing J.D. Talton to testify as to a nickname of the defendant; by allowing J.D. Talton to testify as both a fact and expert witness; in allowing evidence of a prior conviction; because the government commented on the defendant's decision not to testify; and in denying the severance motion. (Docket Entry No. 366). The government must file a response no later than **January 25, 2013**.

SIGNED on December 20, 2012, at Houston, Texas.



Lee H. Rosenthal
United States District Judge